IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 17TH NOVEMBER 2006 / 26TH KARTHIKA 1928

WP(C).No. 30367 of 2006(M)

PETITIONER:

S.R.RAJENDRAN, S/O.S.V.RAMAN,
SHANKARAMANGALATH HOUSE, KOODAPUZHA,
CHALAKUDY.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS:

1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), THRISSUR.

2. THE THRISSUR URBAN CO-OPERATIVE BANK LTD., THRISSUR REPRESENTED BY ITS GENERAL MANAGER.

3. THE SPECIAL SALE OFFICER,
THRISSUR URBAN CO-OPERATIVE BANK GROUP,
OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), THRISSUR.

BY SENIOR GOVT. PLEADER SRI.P.N.SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M. JAMES, J.

W.P.(C) No.30367 of 2006

Dated this the 17th November, 2006.

J U D G M E N T

The 3rd respondent, Special Sale Officer of the second respondent Bank had communicated through Ext.P2 sale notice to the petitioner, that an amount of Rs.15,87, 172/= is due to the second respondent. Therefore, the property mentioned thereunder would be brought to sale on 20.11.2006. Hence, the writ petitioner has filed this petition praying that Ext.P2 sale notice may be quashed, and his representation before the second respondent, Ext.P4, may be considered and disposed of, as per Ext.P3 Circular No.27/2006, by extending one time settlement facility. Counsel also submitted that he had already remitted an amount of Rupees Seven Lakhs, and, therefore, the amount of Rs.15,87, 172/=, stated in Ext.P2, is not correct.

2. Without entering into any discussion on the merit of the matter, I direct the second respondent, Bank, to give the facility of one time settlement scheme, as per Circular No.27/2006, dated 29.6.2006. Ext.P4 representation dated 10.11.2006 preferred before

the second respondent, Thrissur Urban Co-operative Bank Ltd., shall be considered within two weeks from the date of production of a copy of this judgment, and orders passed, on merit, depending upon the directions contained in Circular No.27/2006.

3. Till a final decision is taken and orders passed in Ext.P4 representation, basing on the Circular referred above, all further proceedings initiated pursuant to Ext.P2 notice shall be kept in abeyance.

The writ petition is disposed of as above.

J.M. JAMES,
JUDGE

nj.